

Message Text

LIMITED OFFICIAL USE

PAGE 01 BANGKO 13585 220359Z

ACTION EA-09

INFO OCT-01 ISO-00 AS-01 DHA-02 IO-13 AID-05 CIAE-00

DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00

PM-04 H-01 INR-07 L-03 NSC-05 PA-01 PRS-01 SP-02

SS-15 CU-02 /072 W

-----036430 220404Z /13

O 220310Z JUN 77

FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC IMMEDIATE 3455

LIMITED OFFICIAL USE BANGKOK 13585

E.O. 11652: N/A

TAGS: PGOV, PINT, SHUM, TH

SUBJECT: TRIAL OF OCTOBER 6 DETAINEES; STATUS OF OTHER DETAINEES

REF: (A) BANGKOK 13316; (B) BANGKOK 13412; (C) BANGKOK 12606;

(D) BANGKOK 11894; (E) BANGKOK 8031; (F) BANGKOK 10110;

(G) STATE 140283

SUMMARY: FOLLOWING IS UPDATE OF ARREST AND DETENTION SITUATION AFFECTING THOSE PERSONS APPREHENDED ON OCT 6, 1976, TOGETHER WITH REFS TO OTHER REPORTS GIVING STATUS OF DETAINEES UNDER NARC ORDER 22 AND ABORTIVE COUP OF MARCH 26. OF 3154 PERSONS ARRESTED OCT 6 AT THAMMASAT UNIVERSITY, ALL BUT 23 HAVE BEEN RELEASED OUTRIGHT OR ARE FREE ON BAIL. CHARGES ARE OUTSTANDING AGAINST 110 PERSONS, AND NOT ALL OF THESE ARE EXPECTED TO BE BROUGHT TO TRIAL. CHIEF OF JUDGE ADVOCATE GENERAL DEPT TOLD EMBOFF JUNE 21, "I CAN ASSURE YOU THAT THESE PEOPLE WILL GET A FAIR TRIAL." END SUMMARY.

1. REFS F AND C NOTE THAT THE CASES OF ALL 27 PERSONS ARRESTED FOR COMPLICITY IN THE ABORTIVE COUP ON MARCH 26, LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BANGKO 13585 220359Z

1977, HAVE BEEN DISPOSED OF.

2. REF D PROVIDES THE LATEST AVAILABLE INFORMATION ON PERSONS DETAINED UNDER NARC ORDER 22.

3. OCTOBER 6 DETAINEES - OF THE 3,154 PERSONS ARRESTED IN CONNECTION WITH THE OCTOBER RIOT AT THAMMASAT UNIVERSITY,

ONLY 110 STAND ACCUSED OF CRIMINAL INVOLVEMENT. OF THESE ONLY 23 ARE IN DETENTION AND 87 ARE OUT ON BAIL. FOLLOWING IS AN ACCOUNT OBTAINED JUNE 21 FROM SENIOR OFFICIALS OF THE MINISTRY OF INTERIOR AND THE MINISTRY OF DEFENSE REGARDING STATUS OF THESE 110 INDIVIDUALS:

(A) AS REPORTED IN REF E THE PROSECUTION DEPT ORIGINALLY DECIDED TO DROP CHARGES AGAINST 36 INDIVIDUALS BECAUSE OF INSUFFICIENT EVIDENCE. ON JUNE 21, DIRECTOR GENERAL, DEPT. OF PUBLIC PROSECUTIONS, INFORMED EMBOFF THAT REVIEW OF THESE 36 CASES IS NEARLY COMPLETE AND A FINAL DECISION ON WHETHER TO PRESS CHARGES SHOULD BE MADE WITHIN THE NEXT DAY OR SO. HE INDICATED THAT HE FAVORS DISMISSING CHARGES. SINCE FINAL DECISION IS HIS, CHANCES APPEAR GOOD THAT CHARGES AGAINST THESE 36 PERSONS WILL BE DROPPED. ALL 36 ARE OUT ON BAIL. MOST ARE FEMALE. MOST ARE STUDENTS, MANY OF WHOM HAVE RETURNED TO SCHOOL. IF CHARGES ARE BROUGHT AGAINST THESE 36 PERSONS, THEY WILL BE TRIED IN CIVIL COURT. ARTICLE 21 WILL NOT RPT NOT BE USED.

4. THE REMAINING 74 PERSONS OUT OF THE TOTAL OF 110 ACCUSED OF CRIMINAL BEHAVIOR FALL UNDER THE JURISDICTION OF THE MILITARY COURT. ACTUALLY, EVIDENCE HAD BEEN COLLECTED IMPLICATING 106 PERSONS, BUT ONLY 74 OF THE 106 WERE APPREHENDED. THE WHEREABOUTS OF THE REMAINDER APPARENTLY ARE UNKNOWN TO GOVERNMENT OFFICIALS. ONLY 23 OF THE 74 ARE IN DETENTION, WITH THE REMAINING 51 OUT ON BAIL. ACCORDING TO LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 BANGKO 13585 220359Z

MILITARY JUDT ADVOCATE GENERAL OFFICIALS, ALL OR MOST OF THE 23 IN DETENTION WERE ELIGIBLE FOR BAIL BUT FOR ONE REASON OR ANOTHER CHOSE TO REMAIN IN DETENTION. EVIDENCE AGAINST THESE 74 INDIVIDUALS, WHICH TOTALS SOME 30,000 PAGES, IS STILL BEING CONSIDERED. OFFICIALS ESTIMATE THAT A DETERMINATION OF CHARGES SHOULD BE MADE BY THE LATTER PART OF JULY. LIKE THE CIVIL COURT TRIAL, SHOULD THERE BE ONE, THE MILITARY COURT WILL BE OPEN TO THE PRESS AND THE PUBLIC. THE COURT WILL CONSIST OF THREE MILITARY OFFICERS, ONE OF WHOM MUST BE A LAWYER. THERE IS NO OBJECTION TO AN EMBASSY OFFICIAL OBSERVING THE PROCEEDINGS. (PLEASE PROTECT ABOVE SOURCES.)

5. COMMENT: WE HAVE MADE TEXT OF HOUSE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS TELEGRAM TO SECRETARY VANCE (REF G) AVAILABLE TO BOTH DIRECTOR GENERAL OF PUBLIC PROSECUTIONS AND THE CHIEF OF THE JUDGE ADVOCATE GENERAL DEPARTMENT, MINISTRY OF DEFENSE. THIS WILL ENSURE THAT HIGHEST LEVELS OF RTG ARE AWARE OF CONGRESSIONAL INTEREST IN PROCEEDINGS. CHIEF OF JUDGE ADVOCATE GENERAL DEPARTMENT IS MEMBER OF NARA AND INFORMED EMBOFF THAT HE WOULD REPORT TO MINISTER OF DEFENSE SANGAT SUBSTANCE OF THEIR MEETING. DIRECTOR OF PUBLIC PROSECUTIONS DEPARTMENT IS CLASSMATE OF

PRIME MINISTER THANIN. CHIEF OF JUDGE ADVOCATE GENERAL
DEPARTMENT AND DIRECTOR-GENERAL OF PROSECUTION DEPARTMENT
ARE LAWYERS BY TRAINING, THE LATTER A GRADUATE OF UNIVERSITY
OF PENNSYLVANIA. CHIEF OF JUDGE ADVOCATE GENERAL DEPARTMENT
COULD NOT ESTIMATE HOW MANY OF THE 74 PERSONS UNDER MILITARY
JURISDICTION WOULD BE BROUGHT TO COURT BUT TOLD EMBOFF,
"I CAN ASSURE YOU THAT THESE PEOPLE WILL GET A FAIR TRIAL."
EMBASSY WOULD REMIND DEPARTMENT THAT ARREST OF THE 3,154
PERSONS ON OCTOBER 6 TOOK PLACE AMID CHAOTIC AFTERMATH OF
VIOLENCE AT THAMMASAT UNIVERSITY. MOST WERE ARRESTED
BECAUSE OF THEIR PRESENCE ON SCENE, AND ALL BUT 23 HAVE
BEEN RELEASED OUTRIGHT OR ARE FREE ON BAIL. INTERROGATION OF
THOSE ARRESTED OCT 6 AND OTHER INTELLIGENCE MATERIAL HAS
BEEN BASIS FOR PREPARATION OF CASES AGAINST THOSE ACCUSED.
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 BANGKO 13585 220359Z

CLEARLY, ONLY A PROPORTION OF THOSE WHO NOW
STAND ACCUSED WILL BE BROUGHT TO TRIAL.
RTG HAS MOVED CAUTIOUSLY AND DELIBERATELY AND
IS NOW AT POINT WHERE ONLY A SMALL FRACTION OF THOSE
ARRESTED ARE LIKELY TO BE CHARGED WITH CRIMINAL OFFENCES.
TO OUR KNOWLEDGE THERE HAVE BEEN NO CASES OF BRUTALITY OR
MISTREATMENT OF DETAINEES AND IT APPEARS THAT FINAL DECISION
ON WHICH ACCUSED WILL BE CHARGED WITH WHAT PARTICULAR
OFFENSES IS NOT RPT NOT MORE THAN A MONTH AWAY.
WHITEHOUSE

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRIALS, POLITICAL PRISONERS
Control Number: n/a
Copy: SINGLE
Sent Date: 22-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BANGKO13585
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770222-0425
Format: TEL
From: BANGKOK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770633/aaaabcaa.tel
Line Count: 146
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 3f95e378-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 BANGKOK 13316, 77 BANGKOK 13412, 77 BANGKOK 12606, 77 BANGKOK 11894, 77 BANGKOK 8031, 77 BANGKOK 10110
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 12-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2075716
Secure: OPEN
Status: NATIVE
Subject: TRIAL OF OCTOBER 6 DETAINEES; STATUS OF OTHER DETAINEES
TAGS: PGOV, PINT, SHUM, TH
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/3f95e378-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009